

Attorney Docket No: RADNT-013C2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Keller, et al.)	
)	Art Unit: To Be Determined
Application No.: To Be Determined)	
)	Examiner: To Be Determined
Filed: December 3, 2003, Herewith)	
)	
For: Heat Exchange Catheter with Discrete)	
<u>Heat Exchange Elements</u>)	

Transmittal of a Continuation Utility Patent Application

Express Mail mailing label no. EV 330361173 US

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for filing is the continuation utility patent application for "Heat Exchange Catheter with Discrete Heat Exchange Elements."

- ☒ The applicant(s) hereby request(s) the filing of the continuation patent application under 37 CFR §1.53(b) as a continuation of U.S. Patent Application Serial No. 09/907,779, filed on July 18, 2001, which is a continuation of U.S. Patent Application Serial No. 09/378,578 and now issued as U.S. Patent No. 6,264,679. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.
- ☒ A true copy of the following are enclosed:
 - ☒ the prior application as filed, including all 37 pages of specifications (including 30 pages of written description; 7 pages of claims (Claims 1-38), 1 page of Abstract and 15 sheets of drawings; and
 - ☒ the declaration of inventorship showing the signatures or an indication it was signed.

- ☐ Applicant hereby requests that the above-referenced patent application, filed concurrently herewith, **NOT BE PUBLISHED** under 35 U.S.C. §122(b). In making this request, applicants certify that the invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at 18 months after filing.
- ☐ Please delete the names of the following persons who are not inventors of the invention being claimed in this divisional application:
- ☒ Please amend the specification after the granting of a filing date herein by inserting before the first line the sentence: --This is a continuation of U.S. Patent Application Serial No. 09/907,779, filed on July 18, 2001, which is a continuation of U.S. Patent Application Serial No. 09/378,578 and now issued as U.S. Patent No. 6,264,679.--.
- ☒ Please amend the claims by canceling claims 21 - 38. Applicant will file a subsequent preliminary amendment presenting new claims for prosecution.
- ☐ Check No. ____ covering the filing fee in the amount of \$385.00 accompanies this application, calculated as follows:

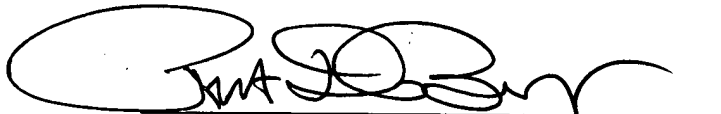
	(Col. 1) No. Filed	(Col. 2) No. extra	Small entity Rate	Fee	Or	Other than a Small entity Rate	Fee
For Basic fee				\$ 385	Or		\$
Total claims	20 - 20 =	19	x 9	\$	Or	x 18	\$
Indep claims	1 - 3 =	0	x 43	\$	Or	x 78	\$
- Multiple dependent claims presented		+ 130	\$	Or	+ 260	\$	
			Total	\$ 385	Or	Total	\$

- ☒ An Assignment of the invention to Radiant Medical, Inc., was previously recorded for Serial No. 09/378,578, with the United States Patent Office on Reel 010194/Frame 0425.
- ☐ A Statement of Ownership and Power of Attorney.
- ☐ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.
- ☒ Fifteen (15) sheets of formal drawings are enclosed.
- ☒ The undersigned is the Applicant's attorney of record in the prior application, and all future communications should be addressed to the undersigned at the new address shown here-below.

- ☐ The statement(s) of Small Entity Status filed in the prior application is no longer proper and is hereby withdrawn.
- ☒ An information disclosure statement is enclosed.

STOUT, UXA, BUYAN & MULLINS, LLP

Date: December 3, 2003



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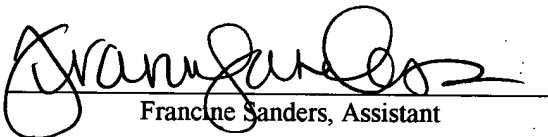
Facsimile: (949) 450-1764

CERTIFICATE OF MAILING

I hereby certify that this Transmittal letter, the above-identified documents and papers, and a return postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on December 3, 2003 and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: December 3, 2003

By:



Francine Sanders, Assistant

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